

## **REMARKS**

In the Office Action, the Examiner stated that the Information Disclosure Statement filed February 10, 1999, failed to comply with 37 C.F.R. § 1.98(a)(1). The Examiner objected to the drawings as failing to comply with 37 C.F.R. § 1.84(p)(5). The Examiner rejected claims 1, 3–8, and 10–12 as unpatentable under 35 U.S.C. § 103(a) over U.S. Pat. No. 5,253,299 ("*Ishida*"). The Examiner also rejected claims 2 and 9 under 35 U.S.C. § 103(a) as unpatentable over *Ishida* in view of U.S. Pat. No. 4,940,977 ("*Mandell*").

### **Information Disclosure Statement**

The Information Disclosure Statement filed February 10, 1999 fully complies with 37 C.F.R. § 1.98(a)(1), which requires a list of all patents, publications, or other information submitted for consideration by the Office. Applicant notes that the present version of the Manual of Patent Examining Procedure makes clear that although a PTO Form 1449 is encouraged, it is not required. (MPEP § 609.III.A 8<sup>th</sup> ed. 2001.) Nevertheless, Applicant has submitted two courtesy Form 1449s for the Examiner's convenience. Consideration of the cited reference is kindly requested.

### **Drawings**

In a concurrently filed Request for Approval of Drawing Change, Applicants have corrected Figure 7. Withdrawal of the objection is respectfully requested.

### **Rejection of claims under § 103(a)**

The Examiner rejected claims 1–12 under 35 U.S.C. § 103(a) as unpatentable. Because the cited combination of references fail to disclose or suggest each claim element of each claim, thus precluding a finding of obviousness, Applicant respectfully traverses this rejection.

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Claim 1 recites, *inter alia*,

An apparatus for reducing a noise component contained in an input signal, comprising: . . . an adjusting device for adjusting a level of said input signal so as to make said level of said noise component equal to or lower than a predetermined threshold level; a reducing device for reducing a signal component of said adjusted input signal whose level is equal to or lower than said predetermined threshold level. . . .

*Ishida* discloses a noise reduction apparatus in an FM stereo tuner. The apparatus includes a circuit 2, a noise eliminating circuit 3 for dividing a stereo differential signal into a plurality of frequency bands and output a composite signal of divisional stereo differential signals, and a circuit 4. (*Ishida*, col. 2, lines 47–58.) The noise eliminating circuit 3 includes a plurality of band pass filters, either switch control circuits or control circuits. In alternative embodiments, circuit 3 includes *either* switch circuits for controlling the passage of divisional stereo differential signals on the basis of the switch control circuits (which receive switch control signals that corresponds to divisional stereo differential signals) *or* variable level adjusting circuits (which receive control signals corresponding to the quantity of deviation between a reference level signal and a divisional stereo differential signal). The variable level adjusting circuits, along with the control circuits, prevent extreme levels over the frequency bands of divisional stereo differential signals of omitted frequency components. (*Ishida*, col. 4, lines 10–13, col. 6, lines 12–25; Figure 3, and Figure 4.) The noise eliminating circuit may further include a dynamic expander 14 to compensate for deterioration and to eliminate a noise component. (*Ishida*, col. 6, lines 17–23.) Therefore, *Ishida* discloses using either switch circuits, which receive switch control signals corresponding to divisional stereo differential signals, for controlling the passage of divisional stereo

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differential signals, or variable level adjusting circuits, which receive control signals corresponding to the quantity of deviation between a reference level signal and a divisional stereo differential signal, to prevent extreme levels of divisional stereo differential signals.

In contrast, claim 1 recites, *inter alia*, "an adjusting device for adjusting a level of said input signal so as to make said level of said noise component equal to or lower than a predetermined threshold level," and "a reducing device for reducing a signal component of said adjusted input signal whose level is equal to an lower than said predetermined threshold level." The disclosure of *Ishida*, including each disclosure of a noise eliminating circuit, is not the same as "an adjusting device for adjusting a level of said input signal so as to make said level of said noise component equal to or lower than a predetermined threshold level," nor is it the same as "a reducing device for reducing a signal component of said adjusted input signal whose level is equal to an lower than said predetermined threshold level." *Ishida* does not neither disclose or suggest the combination including each element of claim 1 and cannot anticipate or render obvious the claim. Further, although the Examiner cites multiple embodiments of the noise eliminating circuit of *Ishida*, the Examiner identifies no disclosure in *Ishida* that amounts to a motivation to combine embodiments (which are specifically disclosed in the alternative) or a reasonable expectation of success in obtaining the claimed invention. Further, as noted above, even if combinable, the combination of elements disclosed in *Ishida*, fail to disclose or suggest the combination of elements recited in claim 1. Moreover, the Examiner has not identified any motivation that would cause one

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of ordinary skill to modify the disclosure so that the claimed combination of elements would be realized.

Therefore, Applicant respectfully asserts that claim 1 is patentable over the cited reference and request that the rejection of claim 1 under 35 U.S.C § 103(a) be reconsidered and withdrawn. Applicant further asserts that claims 3–7 are likewise allowable at least because of their dependence from allowable claim 1.

The Examiner rejected claim 2 as unpatentable over *Ishida* in view of *Mandell*. Because *Mandell* fails to compensate for the deficiencies of *Ishida*, Applicant respectfully requests withdrawal of this rejection as well.

*Mandell* discloses an adaptive-filter single-bit digital encoder and decoder.

The encoder/decoder includes an input to a subtractor that calculates the difference between an applied input audio signal and a reconstructed analog audio signal, which is quantized to a binary level by an op-amp comparator. (*Mandell*, col. 5, lines 33–39.) The output of the op-amp is time sampled by a D flip-flop, which is clocked by the clock input. (*Mandell*, col. 5, lines 39–41.) However, *Mandell* fails to disclose, “an adjusting device for adjusting a level of said input signal so as to make said level of said noise component equal to or lower than a predetermined threshold level,” or “a reducing device for reducing a signal component of said adjusted input signal whose level is equal to an lower than said predetermined threshold level,” as recited in claim 1. Therefore, because *Mandell* fails to compensate for the deficiencies of *Ishida*, claim 2 is likewise allowable over the cited references.

Claim 8 recites, *inter alia*:

A method of reducing a noise component contained in an input signal, comprising the processes of: . . . adjusting a

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level of said input signal so as to make said level of said noise component equal to or lower than a predetermined threshold level; reducing a signal component of said adjusted input signal whose level is equal to and lower than said predetermined threshold level . . . .

At least for the reasons given above with respect to claim 1, *Ishida* fails to disclose or suggest a combination including, "adjusting a level of said input signal so as to make said level of said noise component equal to or lower than a predetermined threshold level," and "reducing a signal component of said adjusted input signal whose level is equal to and lower than said predetermined threshold level," as recited in claim 8. Accordingly, claim 8 is allowable over the combination of references. Similarly, claims 10-12 are likewise allowable at least because of their dependence from claim 8.

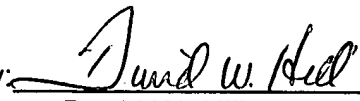
Claim 9 was rejected as unpatentable unpatentable over *Ishida* in view of *Mandell*. Because *Mandell* fails to compensate for the deficiencies of *Ishida*, as noted above with respect to claim 2, Applicant respectfully requests withdrawal of this rejection as well.

In view of the foregoing amendments and remarks, Applicant respectfully requests the reconsideration, reexamination, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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